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Market Shaping

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Institute of Public Care Commissioning Cycle



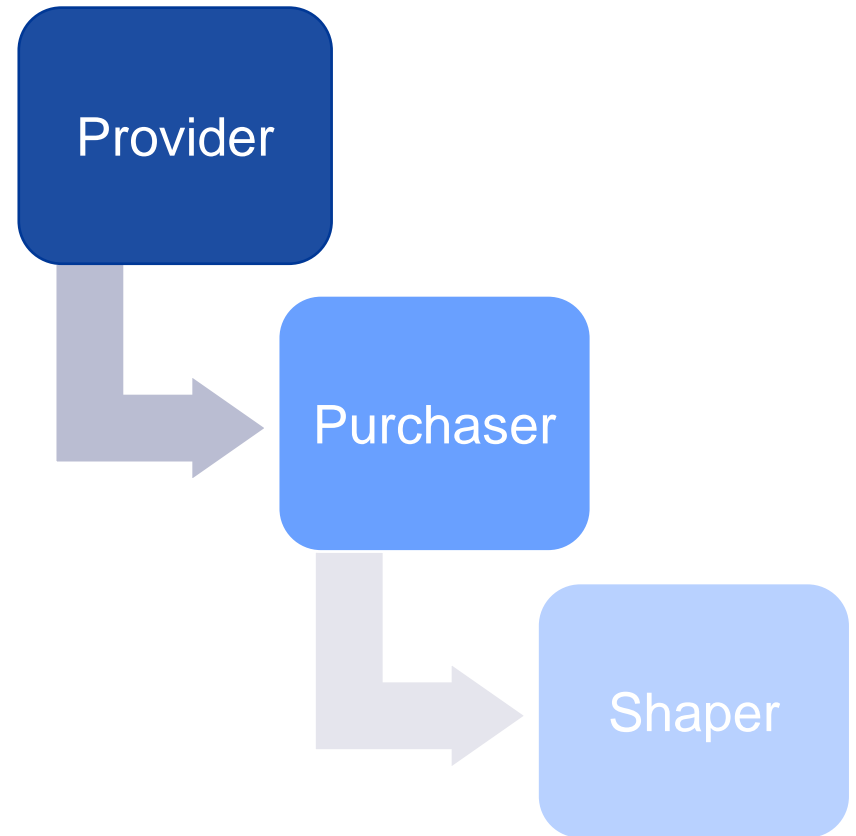
A duty towards care markets

The Care Act (2014) places new duties on local authorities to promote the efficient and effective operation of the care market as a whole.

The market should be:

- Sustainable
- Diverse
- And focus on quality

Sufficiency Duty (Children's and Young Persons Act, 2008)



The 'sufficiency duty' in children's services

- Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's Wellbeing (2012)
- Statutory Guidance on Securing Sufficient Accommodation for Looked After Children (2010)
- Statutory Guidance for Local Authorities in carrying out their Childcare Sufficiency Duties (2010)
- Children and Families Act 2014 – including the local 'information and advice offer'

What is market shaping?

“Market shaping means the local authority collaborating closely with other relevant partners...to encourage and facilitate the whole market in its area for care, support and related services.”

Care and Support Statutory
Guidance, Section 4.6

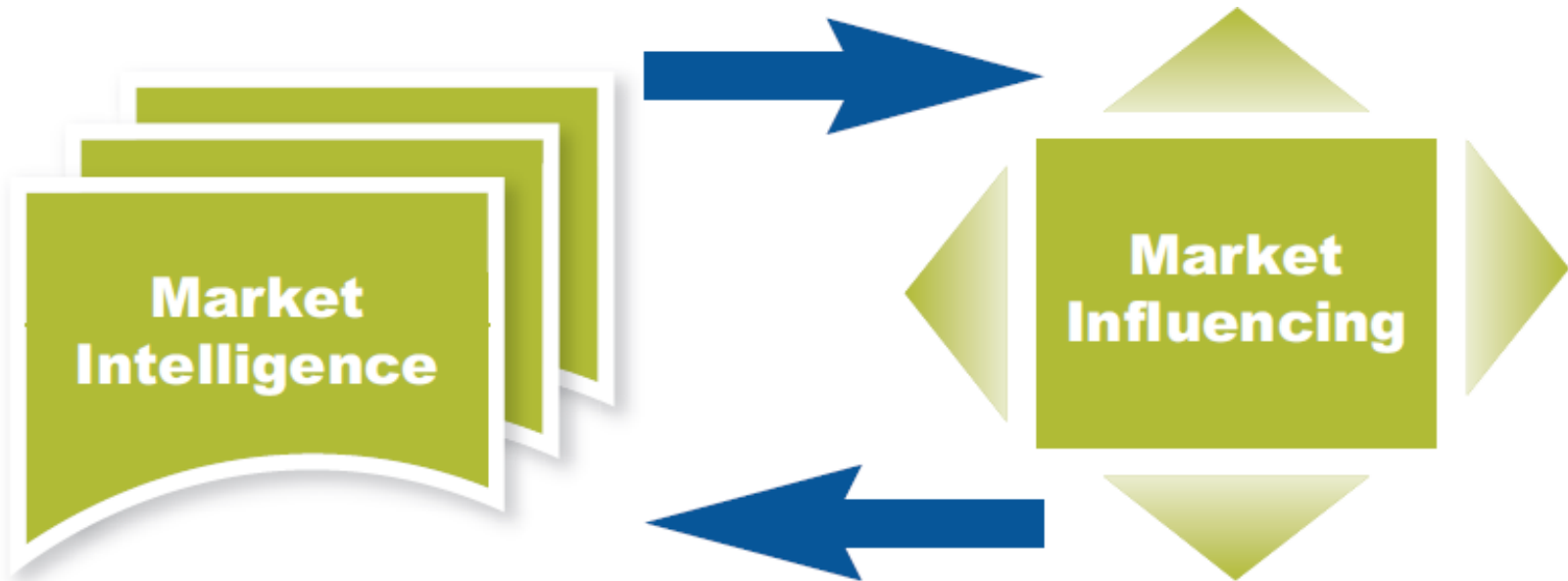


Who shapes the market?



Key components of market shaping

Market
ShaRe 



Activities which seek to understand the market – published in an MPS

Activity taken to influence current and future range of supports/services - intensions published in an MPS

Market Intelligence

“The core activities of market shaping are to engage with stakeholders to develop understanding of supply and demand and articulate likely trends that reflect people’s evolving needs and aspirations...”

[Statutory Guidance to the Care Act, 2014\)](#)

Market intelligence

Market intelligence can (or should) be used in several ways. For example:

- Informing commissioning and procurement practice by establishing the nature, gaps in and quality of supply in different market segments and the aspirations of those providers
- Enabling providers to better understand their competitors, gaps in supply and opportunities
- Underpinning market oversight and contingency planning arrangements



Market Intelligence



What does the market look like?



What market intelligence is available?



Children's social care
market study

Final report

Guidance

**Guidance: Preliminary Market
Engagement (HTML)**

Updated 19 July 2024



Public Health Outcomes Framework

NHS
Digital



 **Foundations**
What Works Centre for Children & Families

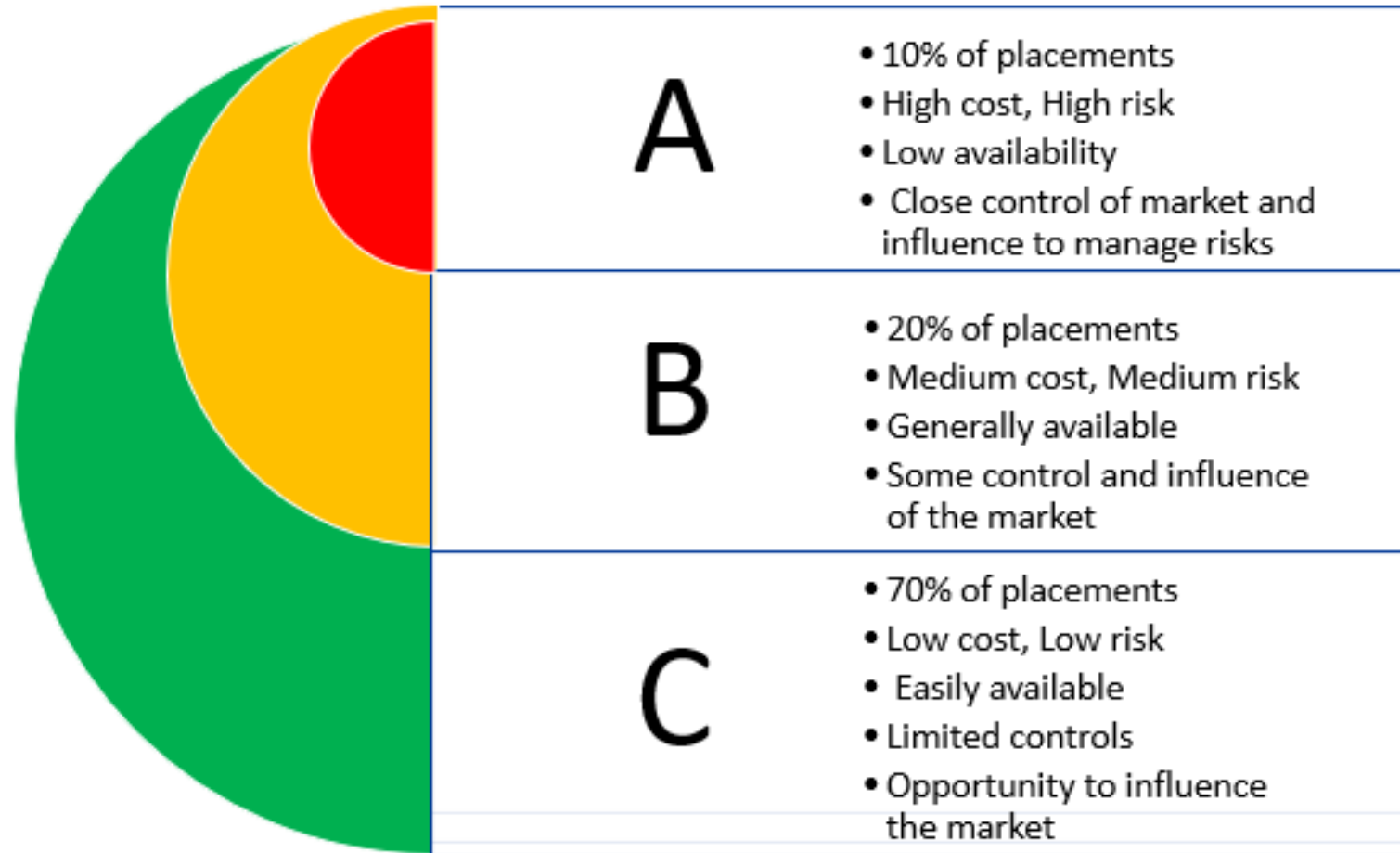


Supplier Positioning Models

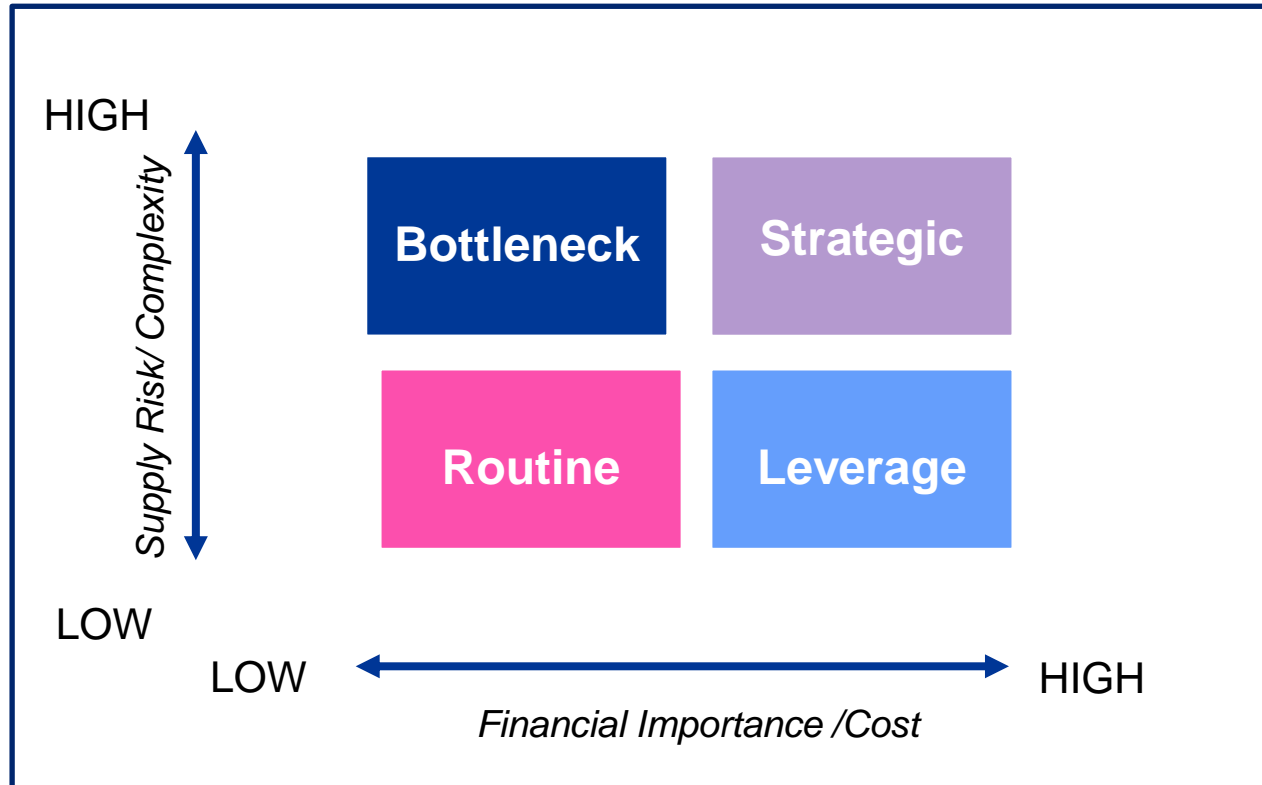
Some tools to understand your suppliers and market relationships:

- ABC analysis
- Vendor Rating
- Kraljic market segmentation
- Supplier Preferencing Model

ABC Analysis



Supplier Positioning Matrix

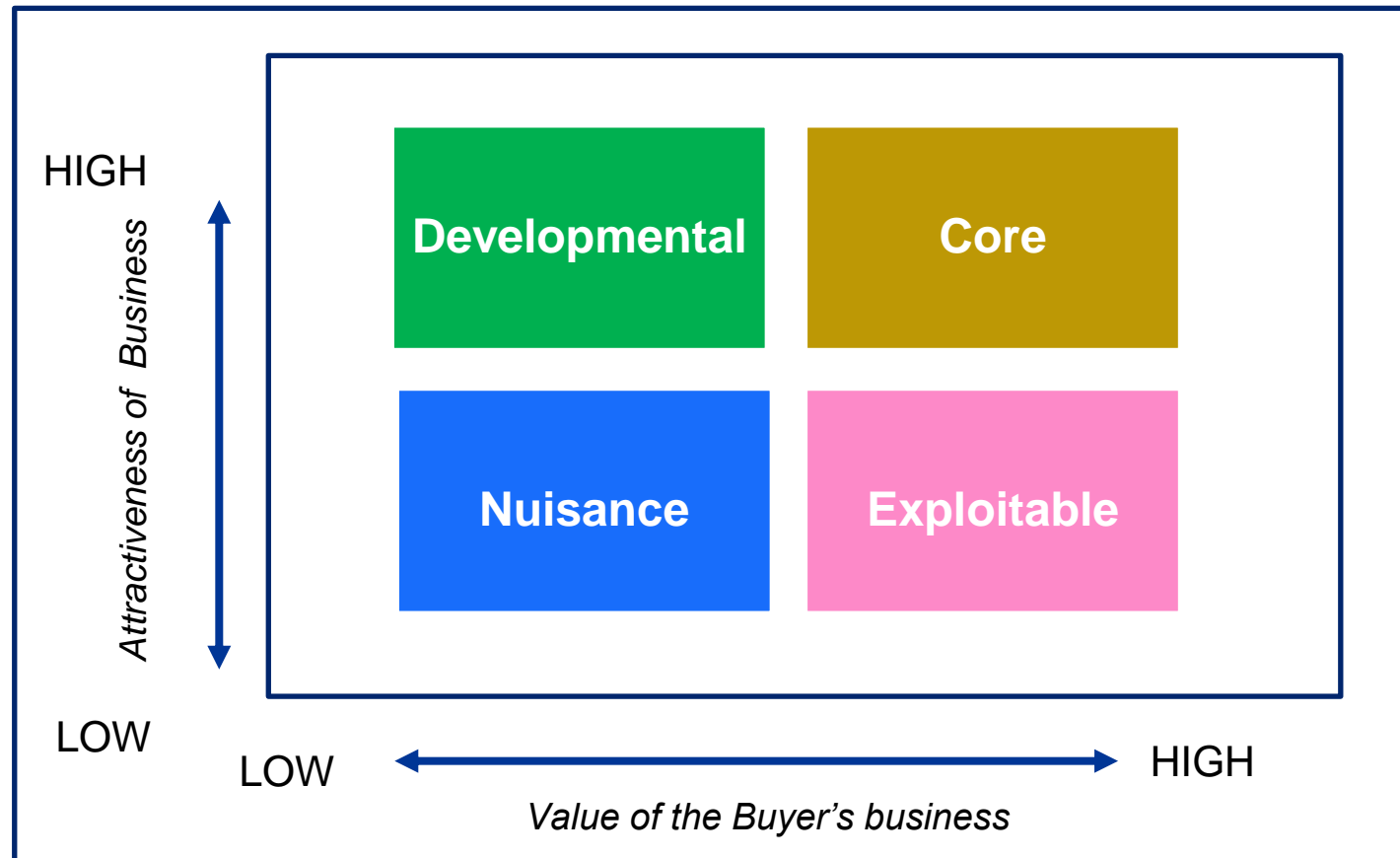


Kraljic (1983)

Vendor Rating – example grid

Criteria/ Value		Provider and Score e.g from 1 to 10, for their rating against each criterion										
Criteria	Expected Score 1=low 10=high	PROVIDERS										
		A	B	C	D	E	F	G	H	I	J	K
Safeguarding												
Compliance												
Quality												
Cost												
Response Times												
Location												
TOTALS												
RANKING												

Supplier Preferencing Model



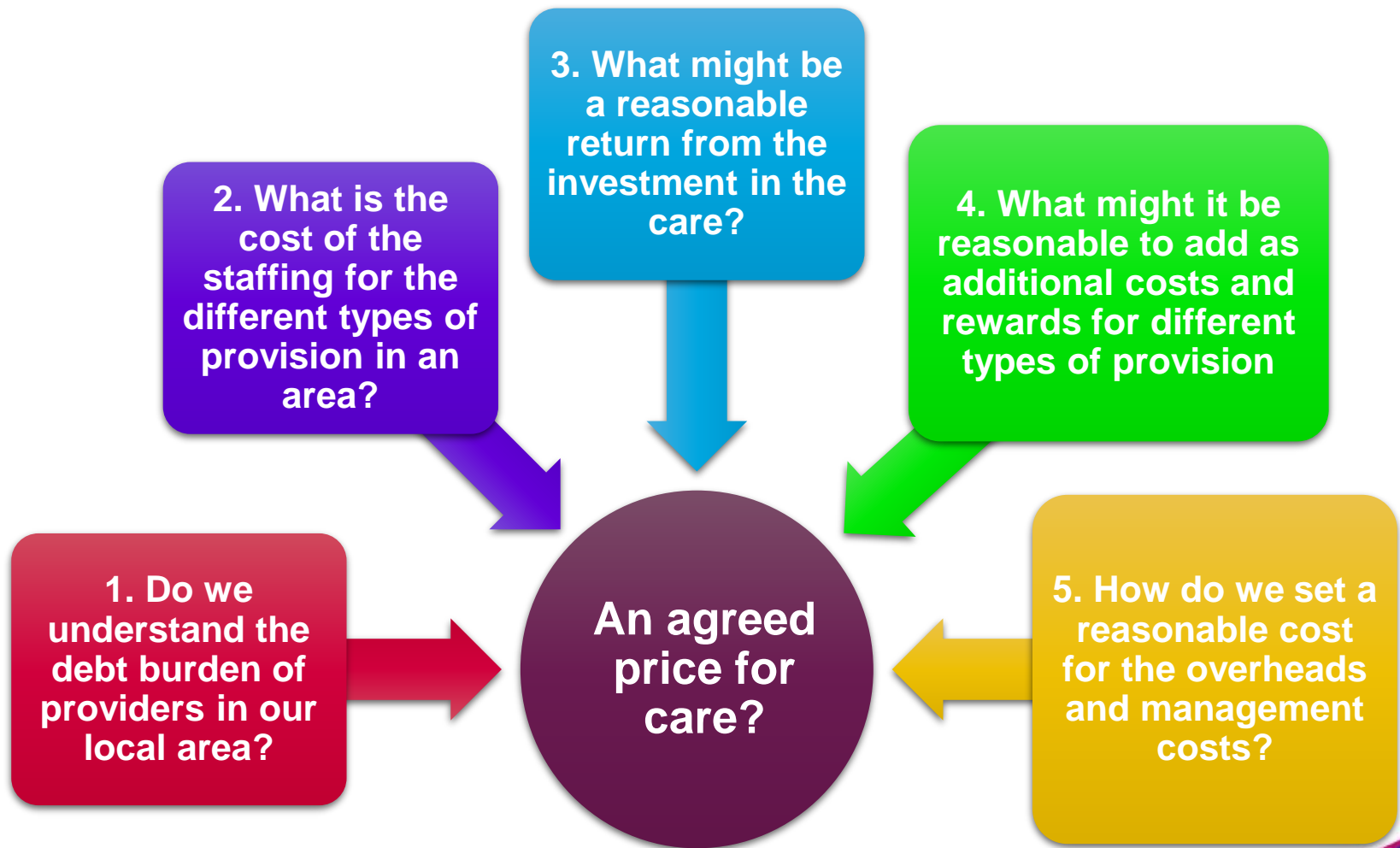
Steele and Court, 1996

Market Intelligence -Understanding the cost of care in your local area

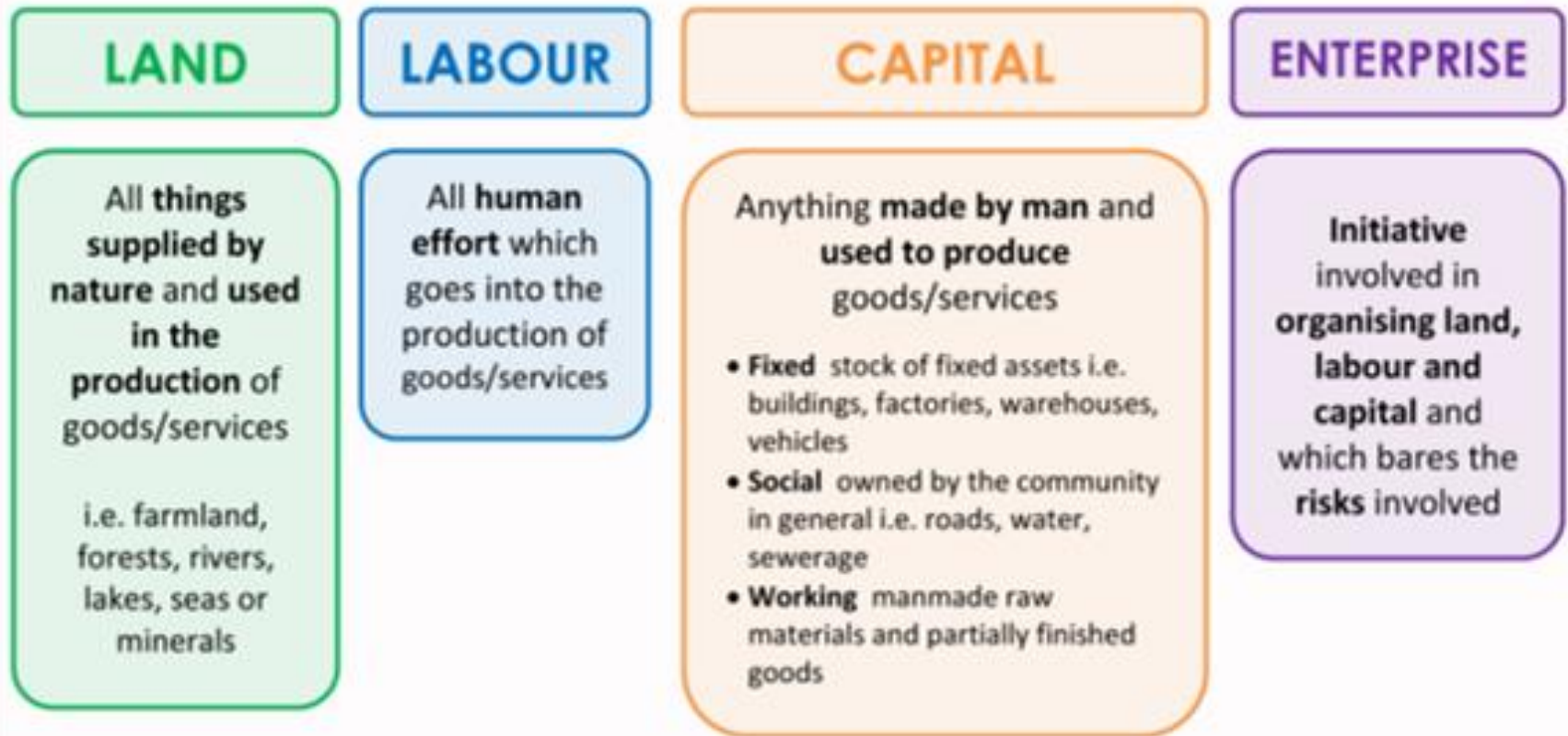
Why might this be important?

- Ensuring we pay a fair price / value for money
- Sustaining local markets
- Build partnerships with providers
- Understanding to help negotiations
- To justify the local price paid for by the commissioning body
- Judicial Reviews require that the process to reach a decision on cost should be transparent


Considerations



The elements that make up the cost of care and support



Cost of Care resources



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Driving improvement and innovation in care

Welsh Government

“Lets agree to agree”

**A toolkit for commissioners
and providers to agree the cost
of residential and nursing care
for older people in Wales**

August 2018

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<http://ipc.brookes.ac.uk>

The National Care Costing Tool

CareCubed is a secure online care costing tool that supports open and transparent negotiation of cost of care placements.

**600**
Commissioning Bodies &
Providers
using the Tool

**35,000**
People Supported

**16**
Years of Transparency



Understanding and mitigating risks to your provider market



- What do you know about your providers **sustainability and financial health**?
- What **information sources** do you use?
- Do you look at the **whole market** or just the providers you contract with?
- Do you understand what factors are impacting on their **viability** and why? (e.g. workforce supply)
- How are you / can you work with the market to **mitigate risks**?

What are the characteristics of your local market/s?

Thinking about your target population groups:

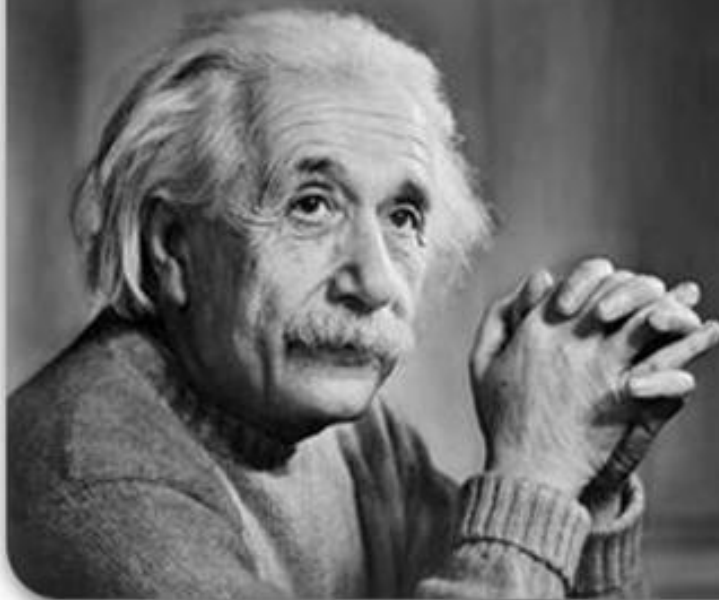
- For the recommended option in your business case, list a mix of three types of key provider services that could meet the needs you have identified
- What intelligence do you have about this potential 'market' – including strengths and weaknesses
- What would a sustainable, diverse, quality market look like?



Market Position Statements or Sufficiency Statements

If you can't explain it **simply**, you don't understand it well enough.

– Albert Einstein



Components of a strong sufficiency statement or MPS

Developing
the MPS /
SS

Understanding
demand

Current
market
overview

Local
authority
vision for
the care
market

Signalling
local
authority
engagement
with the
market

Process

Content

Where to focus more attention

1. Market shaping should be owned at a senior level within the local authority and health partners
2. Think carefully about its scope
3. Work closely with providers and people accessing care and support, and carers
4. Provide clarity to service providers to assist their business planning
5. Update the MPS or SS regularly*

(Foundations 2022 report found that 44% of LAs did not have a publicly available or up to date SS – which is surprising given that this is an important way of communicating information and useful intel to your potential delivery partners)

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Market Influencing

Market influencing – core activities

- Signal to the market types of services needed now and in the future
- Encourage creativity and innovation
- Encourage re-investment and investment
- Promote continuous service improvements



Some examples of market influencing activities

**Shared market
and consumer
research**

**Workforce
Development
e.g. training**

**Seed funding /
Small Grants for
innovation /
pilots**

**Co-designed
services /
strategies**

**Performance
Management /
Quality
Assurance
activity**

**Jobs portal for
approved
providers,
hosted by the
authority**

**Capital funding
opportunities**

**Lead providers
for geographical
areas**

**Meet the buyer
events**

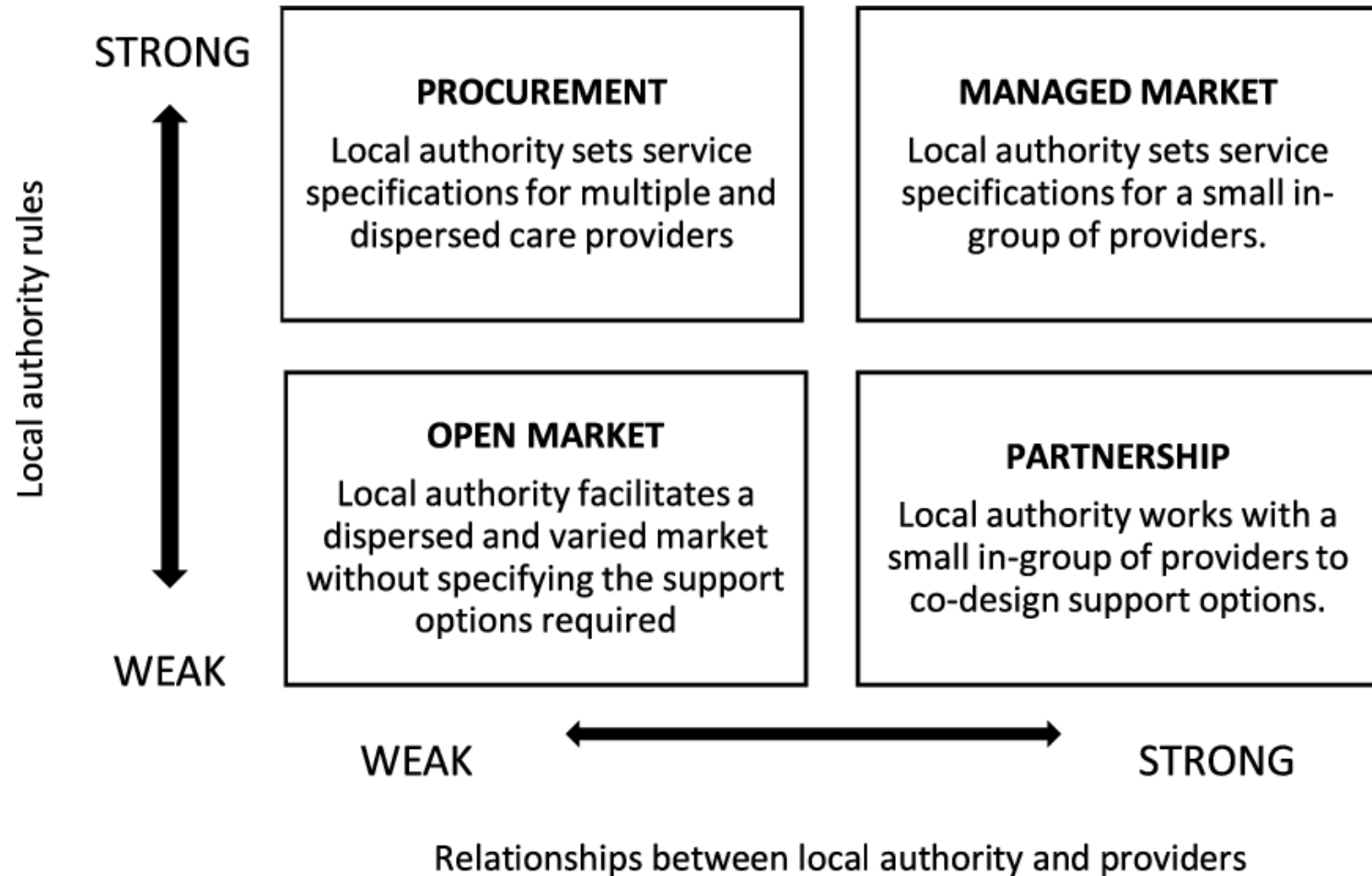
Provider forums

**Joint
commissioning
of residential
spaces**

**YOUR
ACTIVITIES &
EXPERIENCES**

All these activities influence the market, yet the role of the commissioner and other stakeholders can differ

Typology of care market shaping



[How do you shape a market? Explaining local state practices in Adult Social Care \(2022\)](#)

Providers as Strategic Partners – Children Care Leicestershire

- Children's Innovation Partnership (CIP)
- Co-design & Systems Change
- Placements Relational Commissioning Model



Barnardo's Strategic Partnership Model

Definition: A Strategic Partnership is a defined and agreed high level collaboration with a plan and direction and with a focus on system change, outcomes and impact.

Principles:

- CYP voice & influence
- Shared values, trust & vision
- Focus on systems change
- Joint governance, accountability & risk sharing
- Evidence & learning

Essex County Council



What might determine your approach?



- Extent of knowledge about the market
- Aims – what are you trying to achieve and with whom?
- Market conditions, for example:
 - Stable
 - Underdeveloped
 - Sufficient / insufficient community involvement
 - Service quality (good or bad)
 - Accepting of or resistant to change

What might determine your approach?



- Relationship with providers and between providers
- Costs of the market shaping activity or whether you can tailor the activity to make it cost effective?
- Political appetite for change

Market shaping review

- Guidance on market shaping
- MPS good practice and checklist
- MPS database
- Market shaping across councils
- Place-based market shaping
- Individual purchasing



Key Market Shaping Behaviours

Consistent

Funding may vary but the strategic direction pursued by commissioners needs to be consistent over time.

Coordinated

Work with other commissioners and partners where it makes sense to do so.

Coproduced

Build a shared understanding about the solutions needed to tackle demand, shared market issues and factors that make up cost and price

Considered

Promotion and development of evidence based solutions. Recognise and share 'what works'.

Costed

Take account of providers' business and operation models, and understand the actual cost involved in delivering sustainable, quality services

So what's your relationship like with your providers?

Tug of war?



Mature conversation?

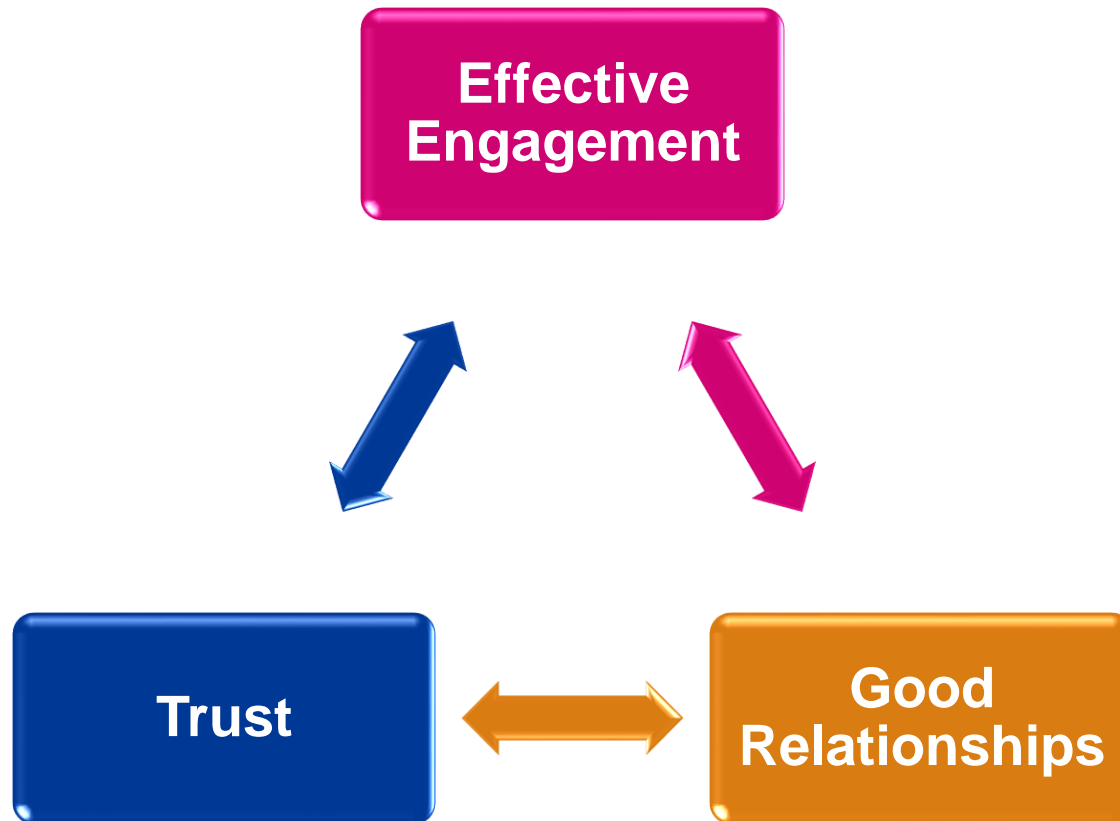


What promotes effective relationships

- **Early engagement** with suppliers/providers – in development MPS and market testing any new procurements
- **Flexibility** about appropriate means of meeting agreed outcomes
- Open channels of **communication**
- Clarity about **expectations**
- **Commercial awareness**
- **Transparency** of decision making
- **Fair and proportionate** specifications and contracts



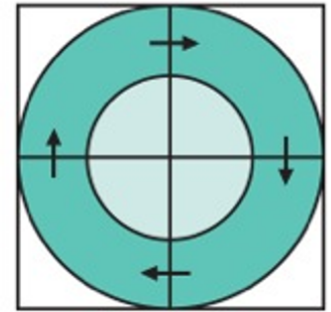
Engagement, Relationships, Trust



Some advice...

Hints and tips for provider engagement

- Advantages of one-to-one vs forum approaches.
- Be human. Be respectful of perspectives and ideas, and of resources (incl. time).
- Win-win mindset. Build close, trusted partnerships for the long term around specific contracts.
- Don't waste everyone's time. Beware Consultation fatigue. Unrealistic/undeliverable ideas. Keep it simple, keep it real.
- Pilot, try, discard what doesn't work. Quick wins to build confidence.
- Incremental improvement vs Grand master plans.
- Know your strategic intent for each provider and engagement.
- Research your providers, know them, their services, their owners, their local people, their plans.
- Accept and work openly with issues in your own services and in CAMHS etc.
- Commissioning as a continuous and strategic process – not a one-off tender exercise.



**Revolution
Consulting**

What does it take to have a trusted relationship with suppliers?

“Work to build a relationship. It might sound basic, but many supplier relationships are just mutually agreed-to interactions, not a relationship. **Seek to provide and receive open, honest feedback** with genuine appreciation and care. No one performs their best all the time and everyone has room to grow. When an open dialogue exists about where and how to improve, and mutually solve problems together, trust blooms.

Become vested in each other’s success. Building an appreciation for the struggles, work and success of both parties also builds trust and is often where buyer/supplier relationships fall apart. Suppliers are always perceived as trying sell and buyers as fighting to get the best price. Becoming vested in each other’s success means taking time to understand the goals of both parties and developing a plan to achieve those goals together. It might take uncomfortable change, willingness to give and take, and journeying into unknown territories together. However, when that happens, trust in each other grows rapidly. “

‘Trust’ – what is it and how can you build it?

Necessary components for ‘trust’

- ✓ Commitment to a common goal or vision
- ✓ The required performance / satisfaction – consensus on what ‘good’ looks like
- ✓ Agreement on price – sufficient to deliver the ‘good’
- ✓ Agreement on quality – it meets the standard, or is sub-standard – quality is discussed and understood
- ✓ Timely and effective communication
- ✓ Co-operation
- ✓ Flexibility
- ✓ “Social bonding”

Adapted from: (2001) John C. Crotts C M A Coppage A Andibo.
Trust-Commitment Model of Buyer-Supplier Relationships

Group discussion: Intervening in your local markets



- Revisit the weaknesses for the potential providers you identified in the earlier discussion
- What could you do to address these weaknesses? (or what are you already doing, if relevant?)
- What are the actions you need to take?
- Present the top three actions back to your colleagues

Top Tips

- Make sure you understand the market and its structure - build up your market intelligence over time.
- Some markets are national and maybe even international. Recognise when you can influence them and when you cannot.
- Think about who might have influence. Can you enlist them if you need to?
- Commissioners do have a range of ways in which to influence local markets – especially where the local authority is the biggest buyer.

Top Tip!



Top Tips

- Try to be innovative – especially when you are trying to expand the market.
- Call upon expertise from across the local authority when you need to.
- Collaboration with providers is often necessary and desirable.
- When going out to procurement consider the different approaches to this and which will the market and circumstances in which you are operating.
- *Any others....?*

Top Tip!



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